Ordinance No. 2009-05-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HYDE COUNTY, NORTH CAROLINA, RELATING TO THE FY2009-2010 BUDGET

Be It Ordained By the Board of Commissioners of Hyde County, North Carolina:

ARTICLE I. BUDGET RESOLUTION

This Ordinance hereby incorporates by reference in its entirety Resolution No. 2009-05-01 titled "A Resolution of the Board of Commissioners of Hyde County, North Carolina Establishing a Budget for the County of Hyde for FY2009-2010", adopted by the Board of Commissioners on June 20, 2008, and all language in said Resolution is incorporated into this Ordinance as if it were included within the body of this Ordinance. Said Resolution may hereafter be referred to as the "Budget Resolution".

ARTICLE II. GENERAL FUND

SECTION 1 – Appropriations: For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the General Fund for the operation of county government and its activities for the fiscal year beginning July 1, 2009 and ending June 30, 2010 in accordance with the Budget Resolution and the chart of accounts heretofore established for this county:

General Government:	
Governing Board\$	31,953
Administration	1,137,732
Elections	60,799
Finance	188,617
Tax Supervisor	307,134
Legal	85,000
Register of Deeds	220,520
Planner	108,661
Public Building Maintenance	456,317
Court Facilities	16,000
Various Grants	80,000
Public Safety:	
Sheriff\$	1,280,519
Jail	191,198
Alcoholic Rehabilitation	1,800
Emergency Management	189,009
Volunteer Fire Departments	107,000

State Forestry Program 35%		75,000
Inspections		147,512
Emergency Medical Services		1,025,040
Animal Control		62,500
Medical Examiner		4,000
DARE Program		60,205
Transportation:		
Airport	\$,
Elderly & Handicapped Transportation		83,499
Position and December 4		
Environmental Protection:	Ф	1 100 000
Solid Waste	>	1,120,909
Soil Conservation Administration		113,191
Economic & Physical Development:		
Cooperative Extension	\$	91,023
Swan Quarter Dike Project		310,000
Juvenile Crime Prevention		58,884
		,
Human Services:		
Health	\$	87,627
Environmental Health		99,777
Food & Lodging		750
Family Planning - State		74,585
Maternal Health-State		28,083
Health Promotion – Risk Reduction		32,056
Homemaker—Home Health Aide		32,556
Immunization Action Plan		4,240
Child Health – State		91,021
Women, Infants & Children		28,764
Communicable Diseases		13,110
Child Service Coordinator - State		5,843
Public Management Entity		7,050
Breast & Cervical Cancer		6,630
Health Check Coordinator		20,811
Adult Health		73,626
Medication Assistance Program		20,748
Mosquito Control		66,554
Private Well Program		6,209
Bioterrorism Response Preparedness		46,766
Social Services		
Administration	\$	945,245
Title III	Ψ	26,376
SAD-SAA		61,317
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AAF County Issued		1,000
Medicaid		25,000
Public Service Assistance		251,832
CAPS Program		68,300
Day Care Support Services		80,000
Day Care		291,845
Other Human Services		
Elderly Nutrition	\$	30,320
Veteran Service Officer		6,691
Mental Health		11,200
Cultural Arts:		
Beaufort County Arts Council	\$	1,000
BHM Regional Library		42,000
Relief Service Soule Cemetery		250
Education:		
Current Expense	\$1,4	124,568
Capital Outlay Sales Tax	-	255,000
QZAB Payment		55,965
Transfers to Other Funds:		77,829
Contingency	\$	-0-
TOTAL GENERAL FUND	\$12	2,225,333

SECTION 2 – Revenues: For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Ad Valorem Taxes	\$ 6,124,676
Sales Tax	1,561,460
Other Tax and License	145,100
Unrestricted Intergovernmental	53,126
Restricted – Other	779,859
Restricted – Social Services	1,110,395
Restricted – Health	488,077
Permits and Fees	138,900
Sales and Service	485,000
Investment Earnings	200,000
Miscellaneous	1,138,740
Fund Balance Appropriated	-0-

ARTICLE III. HYDE COUNTY WATER/SEWER SYSTEM FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the Hyde County Water/Sewer System Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the Hyde County Water/Sewer System Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Sale of Water	\$1,139,692
Connection Fees	700
Prison Water Charges	260,000
Prison Sewer Charges	320,000
Interest Earned	9,000
Penalties & Interest	20,000
NC Motor Fuel Tax Refund	2,500
Meter Installation	16,000
Engelhard Sanitary District	180,000
Miscellaneous	1,000
Appropriation from General Fund	<u>2,439</u>
	\$1,951,331

ARTICLE IV. OCRACOKE MOSQUITO TAX FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the Ocracoke Mosquito Tax Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Expenditures	\$	71,550
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For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the Ocracoke Mosquito Tax Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Prior Tax......\$ 2,000

DMV Prior	50
Current Tax	68,000
DMV Current	<u>1,500</u>
	\$ 71,550

ARTICLE V. FINES AND FORFEITURES

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the Fines and Forfeitures Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Court\$)	56,500
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For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the Fine and Forfeitures Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Court	\$ 56,500

ARTICLE VI. CAPITAL RESERVE FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the Capital Reserve Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Expenditures \$ 40,000

For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the Capital Reserve Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

ARTICLE VII. HYDELAND HOME HEALTH FUND

For purposes of summary only, as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the Hydeland Home Health Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010 the length of the project:

Expenditures	\$	541,055
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For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the Hydeland Home Health Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Interest Earned	\$ 65,336
Medicare	227,000
Medicaid-EDS	241,719
Private Insurance	7,000
	\$ 541,055

ARTICLE VIII. WEST/QUARTER FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the West/Quarter Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Expenditures...... \$ 4,090

For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the West/Quarter Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Prior Taxes	\$ 140
Current Taxes	3,800
Interest Earned	 <u>150</u>
	\$ 4,090

ARTICLE IX. REVALUATION

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the Revaluation Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the Revaluation Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Appropriated from General Fund	\$ 50,000
Interest on Investment	 <u>500</u>
	\$ 50,500

ARTICLE X. 4-H FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the 4-H Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the 4-H Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

ARTICLE XI. OCRACOKE OCCUPANCY TAX FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the Ocracoke Occupancy Tax Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Expenditures...... \$ 358,363

For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the Ocracoke Occupancy Tax Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Occupancy Tax – Ocracoke	\$ 315,000
Interest Earned	18,000
Community Center Rent	4,500
Appropriated Fund Balance	20,863
T. K K	\$ 358,363

ARTICLE XII. E-911 FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the E-911 Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the E-911 Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Interest Earned	\$	5,000
E-911		-0-
911 Wireless 50% Funds	1	15,000
911 Street Names—Sign Fee		-0-
Fund Balance Appropriated		21,000
		41,000

ARTICLE XIII. MAINLAND OCCUPANCY TAX FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the Mainland Occupancy Tax Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Expenditures..... \$ 10,350

For purposes of summary only as the actual figures are contained in the Budget Resolution. It is estimated that the following revenues will be available in the Mainland Occupancy Tax Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Occupancy Tax - Mainland	\$ 6,500
Fund Balance Appropriated	<u>3,.850</u>
• •	10.350

ARTICLE XIV. CAPS, PERSONAL CARE, CHORE FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the CAPS, Personal Care, Chore Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated the following revenues will be available in the CAPS, Personal Care, Chore Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010

Interest on Investments	\$ 4,000
DSS Contract Chore	48,600
CAPS—Medicaid	143,258
Personal Care—Medicaid	77,312
Transfer from Home Health	41,587
	\$ 314,757

ARTICLE X. MATTAMUSKEET OPPORTUNITIES FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the Jackson Paving Special Assessment Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Expenditures

\$ 203,167

For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the Jackson Paving Special Assessment Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Mattamuskeet Opportunities Collections

\$ 203,167

ARTICLE XVI. SENIOR CENTER FUND

For purposes of summary only as the actual figures are contained in the Budget Resolution, the following amounts are hereby appropriated in the Senior Center Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Expenditures

\$ 91,890

For purposes of summary only as the actual figures are contained in the Budget Resolution, it is estimated that the following revenues will be available in the Senior Center Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Albemarle Commission	\$ 8,000
Bldg Rent – Senior Center	800
Fund Raisers	1,000
Appropriation from General Fund	75,390
Grants	6,700
	\$ 91,890

ARTICLE XVII. SCHOOL APPROPRIATIONS

SECTION 1 – The appropriations to the Board of Education, first, shall be made from any such funds which are dedicated to the use of the schools, and secondly, shall be made from the general county fund revenues to the extent necessary to meet the approved appropriation.

SECTION 2 – For purposes of summary only as the actual figures are contained in the Budget Resolution, the total appropriation for Current Expense from the General Fund is \$1,424,568.

SECTION 3 – For purposes of summary only as the actual figures are contained in the Budget Resolution, the total appropriation for Capital Outlay Expense from the General Fund is \$310,965.00

ARTICLE XVIII. OTHER PROVISIONS

SECTION 1 – The Hyde County Manager in his capacity as Budget Officer is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- (a) He may transfer amounts between objects of expenditure within a department, except salary amounts, without limitations.
- (b) He may transfer amounts up to \$5,000 between departments of the same fund with an official report on such transfers at the next regular meeting of the Board of Commissioners not to exceed total of \$10,000.
- (c) He may not transfer any amounts between funds nor from any contingency appropriation within any fund.
- (d) He will assign legal costs to departments based upon the legal issue involved.

SECTION 2 - All legal outstanding encumbrances at June 30, 2009 are hereby carried forward and re-appropriated as an amendment to the budget for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

SECTION 3 - Upon acceptance the annual audit for the fiscal year 2008-09 by the County Commissioners so long as such acceptance prior to June 30, 2010, the County Manager shall direct that fifty percent (50%) of the total cash revenue received in the General Fund that is in excess of the total expenses and current

liabilities (excluding debt with a maturity on or after July 1, 2011) be transferred from the Unappropriated Reserve in the General Fund to the Capital Reserve Fund. The County Manager shall give a report to the Commissioners of the amount transferred at the next Regular meeting of the Board following the date of such transfer.

Section 4 – There are hereby levied solid waste fees in accordance with Article 15 of Chapter 153A of the North Carolina General Statutes. Such fee shall be as described in Exhibit A of this Ordinance. The County Manager shall provide for the professional collection of such fees and is hereby authorized take other actions on behalf of the County in accordance with Article 15 referenced above.

ARTICLE XIX. TAX LEVY

SECTION 1 – There is hereby levied at the rate of \$0.52 per One Hundred Dollar (\$100) valuation of property listed for taxes as of January 1, 2009, for the purpose of raising the revenue listed in the General Fund, Article II., Section 2, of this Ordinance.

SECTION 2 – The rate of tax as shown in Sections 1 above is based upon a total valuation of property for the purpose of taxation of \$1,055,286,386 and vehicles of \$23,093,179 and an estimated collection rate of 93.63% for real property and 74.77% for vehicles.

A public hearing on this Budget Ordinance was held on June ____, 2009.

This Budget Ordinance was adopted on the 15th day of June, 2009.

HYDE COUNTY BOARD OF COMMISSIONERS

Tom Davis, Chairman

ATTEST:

SEAL

Lois Stotesberry, Clerk to the Board

Exhibit A

- 1) There is hereby imposed a solid waste fee per residential dwelling unit an amount equal to \$20 per month for dwelling units located in mainland Hyde County (once per week collection) and \$30 per month for dwelling units located in Ocracoke Township (twice per week collection). Such amount shall be due to the County by the 20th of the month following month when the bill is sent or shall be otherwise due and payable consistent with the billing and collection practices of the Hyde County Mainland Water/Sewer System. No more than the volume of two 30 gallon cans (with lids on and complete closed) totaling no more than 60 pounds shall be picked up each collection cycle.
 - a) The owner of a residential dwelling unit but not the renter, leaseholder, or other person who is not the owner may apply to withdraw from curbside collection and pay the fees established under subsection 5. If such application is approved, the dwelling unit shall be charged an amount equal to \$6.50 per month as a solid waste availability fee.
- 2) There shall be no curbside collection of commercial solid waste except as provided in this section. All commercial solid waste shall either be disposed via a dumpster (See 3 below) or taken to a convenience site (See 5 below). Non-residential establishments (e.g., commercial establishments; non-profit entities; religious institutions) may apply for curbside collection of commercial solid waste so long as the amount of solid waste collected is consistent with 1 above. The monthly fee shall be \$40 per month for non-residential establishments on mainland Hyde County (once per week collection) and \$50 per month for non-residential establishments in Ocracoke Township (twice per week collection).
- 3) If a residential dwelling unit or non-residential establishment receiving curbside collection fails to pay a bill in a timely manner or fails to follow the rules as promulgated, the Utilities Director may cease providing curbside collection and the residential dwelling unit or non-residential establishment shall dispose of solid waste via a dumpster (See 3 below) or taken to a convenience site (See 5 below).
- 4) There is hereby imposed a solid waste fee of \$140 per tip for each dumpster served by the County (including under agreement with another entity) and is located in Ocracoke Township. The County shall not provide this dumpster service in any other township. To protect the public health and welfare, the County Manager shall provide for each dumpster to be tipped each week except when an account is dormant.
- 5) There is hereby imposed a solid waste fee of \$150 per ton for construction and demolition (C&D) waste. Such waste shall be brought to a convenience site and disposed of in a manner directed by the County.

- 6) There is hereby imposed a solid waste fee of:
 - a) \$4 per 3 County-provided bags that hold up to ten (10) pounds of household solid waste, also referred to as MSW; and,
 - b) \$4 per County-provided bag that holds up to thirty (30) pounds of household solid waste, also referred to as MSW; and,
 - c) \$8 per County-provided sticker on a non-County bag that holds up to fifty (50) pounds of household solid waste, also referred to as MSW.

The County shall not accept any MSW at a convenience site unless it is wholly within a County-provided bag or a bag with a County-provided sticker.

- 7) The County Manager shall manage the solid waste collection and disposal system and shall provide for the administration of the fees authorized, including necessary rules for the levy and collection of such fees, including variations in service and the reduction of fees and penalties when deemed appropriate. To the extent reasonable and practicable, such administration and rules shall be consistent with the administration and rules of the Hyde County Mainland Water/Sewer System.
- 8) An account holder may appeal the levy of a fee or penalty or the imposition of a rule if the appeal is done so in writing to the Utilities Director within thirty (30) days of the fee or penalty being levied or rule being imposed. The Utilities Director shall provide an opportunity for the person submitting the appeal to be heard, and after such hearing the Director shall make findings and render a written decision. Such decision of the Utilities Director may be appealed to the County Manager, if done so in writing with thirty (30) days of the decision of the Utilities Director. The County Manager shall make findings and provide a written decision. The decision of the County Manager is final. Any subsequent action shall be pursued in a court of competent jurisdiction and not be taken up by the Board of Commissioners or other elected or appointed body of the County.

Resolution No. 2009-05-01

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HYDE COUNTY, NORTH CAROLINA, RELATING TO A BUDGET FOR FISCAL YEAR 2009 – 2010

WHEREAS, the Board of County Commissioners desires to establish a detailed fiscal year budget (July 1, 2009 through June 30, 2010) for the County of Hyde, North Carolina, and;

WHEREAS, the Board of Commissioners is adopting a Budget Ordinance for the July 1, 2008 – June 30, 2009 fiscal year and said Ordinance No. 2009-05-02 incorporates this Resolution into the Ordinance as the budget for Hyde County for this period;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Hyde County, North Carolina meeting this __ day of June, 2009, does hereby adopt the attached document entitled "FY2009-2010 Hyde County Budget" (that is evidenced by the budget officer's initials on the bottom of each page of the document) as the fiscal year budget for Hyde County for the period beginning July 1, 2009 and ending June 30, 2010 and;

BE IT FURTHER RESOLVED that the Board of Commissioners hereby adopts the following conditions, restrictions and clarifications regarding items contained within the attached "FY2009-2010 Hyde County Budget:"

- 1. The County Commissioners shall continue to make economic and community development that creates quality job opportunities increases tax base and a very high priority.
- 2. The County Manager is directed to work with the Sheriff to investigate ways to generate revenue from available beds in the secure section at the new Public Safety Center.
- 3. The County Commissioners shall review each position vacancy with the goal of consolidating departments and functions into a few agencies: Emergency Services; Finance and Administration; Utilities; and Community Development.
 - a. Personnel should be cross-trained intra-agency to perform multiple functions within an agency.
- 4. No vacancy in a full time position may be filled unless first advertised in accordance with the Hyde County Personnel Policy. No vacancy in any full time position funded through this Budget may be advertised until such time as the County Commissioners approve such vacancy advertisement.
 - a. Upon approval by the County Commissioners, the advertising, recruitment and selection process shall be as provided in the Hyde County Personnel Policy.
 - b. If the process described in this section is not followed, the County Manager shall not authorize the hiring and the Finance Department shall not process payroll for the position.

- 5. The County Manager is directed to submit by September 8, 2009 a recommendation and proposed capital and operating budget for the provision of in-house solid waste collection services to become effective July 1, 2009.
 - a. Such plan shall include both for the collection of curbside solid waste on the mainland and on Ocracoke but shall also include an option for five convenience sites/no curbside pick-up on the mainland but continuing curbside pick-up on Ocracoke.
- 6. Given the expected completion of the Swan Quarter Dike in FY2009-10 and the need to maintain the Swan Quarter Dike in accordance with grant agreements and good management practices, the County Manager is directed to work with the County Attorney to take such steps as are necessary for the existing West Quarter district to be increased or expanded to cover maintenance and repairs or to submit a proposal form a new district to cover maintenance as repairs of the Swan Quarter Dike.
- 7. The County Manager shall have prepared a sample contract for use in County departments where the County-paid cost of employee training (e.g., BLET) paid by the County is payable back to the County unless the employee successfully completes the training and stays in the County employment for a minimum period afterwards.

BE IT FURTHER RESOLVED that any narrative language contained in the attached budget document and this Resolution is subordinate to any language in conflict with the Budget Ordinance in which this Resolution is referenced but that any figures and narrative language contained in this Resolution or the attached budget document is otherwise binding; and,

BE IT FURTHER RESOLVED that a copy of this resolution, without the attachment shall be recorded in the minutes of the Board of Commissioners but that the original version of the attached "FY2009-2010 Hyde County Budget" with the Budget Officer's initials on each page shall be kept on file in the office of the Clerk to the Board of County Commissioners.

Approved on June 15, 2008

Tom Davis, Chairman

Hyde County Board of Commissioners

ATTEST:

SEAL